

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

John Rafferty  
109 Wooded Acres Lane  
Downington, Pennsylvania 19335

*Plaintiff,*

v.

Paige Harden  
155 Field Point Road  
Greenwich, CT 06830

and

Augustus H. Denis  
1138 Third Street  
New Orleans, LA 70130-5631

*Defendant.*

NO.

**FILED**

MAY - 3 2004

**MAGISTRATE JUDGE**

MICHAEL E. KUNZ, Clerk

By                      Dep. Clerk

COMPLAINT IN CIVIL ACTION

04-12456 PBS

Plaintiff, John Rafferty, brings this personal injury action for injuries and damages suffered from an automobile accident which occurred on May 4, 2002 at Greycliff Hall, 2051 Commonwealth Avenue, Brighton, Massachusetts. The action is brought pursuant to this Court's diversity jurisdiction, 28 U.S.C. § 1332(a)(1), and is an Arbitration Matter in that the damages do not exceed \$150,000. For his Complaint, plaintiff alleges as follows:

The Parties

1. Plaintiff, John Rafferty, is an adult individual residing at 109 Wooded Acres Lane, Downington, Pennsylvania 19335.
2. Defendant, Paige Harden, is an adult individual, citizen and resident of the City of Greenwich, State of Connecticut, and/or possibly a citizen and resident of City of New Orleans, District of Louisiana, and/or possibly a citizen and resident of the City of Brighton, Commonwealth of Massachusetts, residing at the above address.

3. Defendant, Augustus H. Denis, is an adult individual, citizen and resident of the City of New Orleans, District of Louisiana residing at the above address.

4. On May 4, 2002, plaintiff, John Rafferty, was a pedestrian who was struck by a vehicle driven by defendant, Paige Harden.

5. On May 4, 2002, defendant, Paige Harden, did own, operate, possess and control a certain 2000 Volkswagen Jetta vehicle which was involved in the accident herein.

6. On May 4, 2002, it is further believed and averred that Augustus H. Denis negligently entrusted the vehicle on the date in question.

COUNT I  
JOHN RAFFERTY  
v.  
PAIGE HARDEN

7. Plaintiff, John Rafferty, hereby incorporates the averments of paragraphs one (1) through six (6) as though the same were more fully set forth at length.

8. On May 4, 2002, John Rafferty was a passenger on a bus owned and operated by Boston College University. Mr. Rafferty had just exited the bus at Greycliff Hall, 2051 Commonwealth Avenue, and while he was crossing the street in a prominently marked crosswalk, was violently struck by the motor vehicle operated by Defendant, Paige Harden. As a result of said collision, plaintiff, John Rafferty, sustained serious and permanent personal injuries, a serious impairment of a bodily function hereinafter more specifically set forth.

9. At the time and place aforesaid, the carelessness, recklessness and negligence of the defendant consisted of the following:

(a) Operating the said motor vehicle at a rate of speed which was high and dangerous under the circumstances;

(b) Failing to have said motor vehicle under proper and adequate control;

(c) Failing to give proper and sufficient notice of its approach;

(d) Failing to exercise due care and caution under the circumstances;

(e) Operating the said motor vehicle without due regard for the rights, safety and position of the plaintiff;

(f) Failing to keep a proper lookout under the circumstances;

(g) Violating the various Ordinances and Laws of the City of Boston, and the Statutes of the Commonwealth of Massachusetts pertaining to the operation and control of motor vehicles, specifically Massachusetts General Laws Chapter 89, Section 11;

(h) Violating the Assured Clear Distance Rule;

10. As a direct result of the carelessness, recklessness and negligence of the defendant as aforesaid, plaintiff, John Rafferty, sustained severe and permanent internal and external injuries in and about the head, body and limbs, and a severe and permanent shock to plaintiff's nerves and nervous system, as well as severe damages to his nerves and nervous system and other various ills and injuries as well as other serious orthopedic and neurological injuries, the full extent are not yet known, all of which have caused him and will continue to cause him great pain and agony, and have prevented him and will continue to prevent him in the future from attending to his daily duties, activities and occupation, all to plaintiff's great financial damage and loss.

11. Plaintiff, John Rafferty, avers that as a direct result of the carelessness, recklessness and negligence of the defendant as aforesaid, he has sustained injuries, as a result of which, he has been required and obliged to receive and undergo medical attention and care, and will incur various medical expenses, to which plaintiff is entitled to recover.

12. As a result of the accident aforesaid, plaintiff, John Rafferty, has and will hereinafter incur additional financial expenses or losses, which will exceed amounts which plaintiff may otherwise be entitled to recover under the Pennsylvania Financial Responsibility Act.

13. As a direct result of the accident, plaintiff, John Rafferty, has and may suffer a severe loss of earnings and/or impairment of his earning capacity and power, which such loss of income and/or impairment of her earning capacity and power has or may exceed the sum recoverable under the limitations of the Pennsylvania Financial Responsibility Act.

WHEREFORE, plaintiff, John Rafferty, demands judgment against the defendant, Paige Harden, in an amount not in excess of One Hundred Fifty Thousand Dollars (\$150,000.00), plus interest and costs.

Respectfully submitted,

BERNHARDT & ROTHERMEL, P.C.

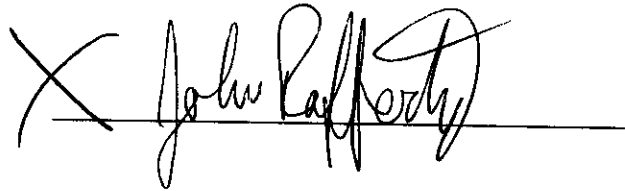
By: 

Francis J. Bernhardt, III, Esquire  
Attorney for Plaintiff

VERIFICATION

The undersigned, having read the attached pleading/filing, verifies that the pleading/filing is based on information furnished to counsel, which information has been gathered by counsel in the course of this lawsuit. The language of the pleading/filing is that of counsel and not of signer. Signer verifies that he/she has read the within pleading/filing and that it is true and correct to the best of the signer's knowledge, information and belief. To the extent that the contents of the pleading/filing are that of counsel, verifier has relied upon counsel in taking this Verification.

This Verification is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

X  \_\_\_\_\_

FD-44 (Rev. 3/99)

## CIVIL COVER SHEET

04cu1931

3-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

John Rafferty  
109 Wooded Acres Lane  
Downingtown, PA 19335

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

Chester

## DEFENDANTS

Paige Harden  
and  
Augustus H. Denis

County of Residence of First Listed

Fairfield

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Francis J. Bernhardt, III, Esquire  
Bernhardt & Rothermel, P.C.  
1515 Market Street, Suite 1540

Attorneys (If Known)

Unknown 12456 PBS

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- DEF  
Citizen of This State ☐ 1 ☐ 1 Incorporated or Principal Place of Business In This State ☐ 4 ☐ 4  
Citizen of Another State ☒ 2 ☐ 2 Incorporated and Principal Place of Business In Another State ☐ 5 ☐ 5  
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Label & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination <input type="checkbox"/> 901 Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions

## V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify) \_\_\_\_\_  
☐ 6 Multi district Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint.

JURY DEMAND: ☐ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

5/3/2004

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

2

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

John Rafferty  
*Plaintiff,*

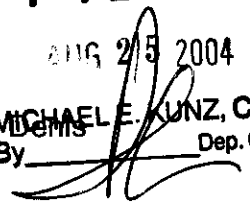
v.

Paige Harden and Augustus H. Denis  
*Defendants.*

**FILED**

AUG 25 2004

Civil Action No. 04-1931

MICHAEL E. KUNZ, Clerk  
By  Dep. Clerk

CERTIFICATE OF SERVICE

On May 10, 2004, this office forwarded, via Certified (7003 2260 0007 6532 0238) and First Class Mail, a true and correct copy of the Notice of Lawsuit and Request for Waiver of Summons to Defendant, Augustus H. Denis at 1138 Third Street, New Orleans, LA 70130-5631.

The certified envelope came back marked that the Defendant had moved and gave his new address of: 718 Barracks Street, Apartment 1, New Orleans, LA 70116.

On **August 16, 2004**, via Certified (7003 3110 0000 0577 3964) and First Class Mail, a true and correct copy of the Notice of Lawsuit and Request for Waiver of Summons was again forwarded to Defendant, Augustus H. Denis. Neither the green certified card nor the regular envelope came back to our office.

Respectfully submitted,

BERNHARDT & ROTHERMEL, P.C.

Dated: August 24, 2004

By:

  
Francis J. Bernhardt, III, Esquire  
Attorney for Plaintiff

1021

3

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

John Rafferty  
*Plaintiff,*

v.

Paige Harden and Augustus H. Denis  
*Defendants.*

**FILED**

Civil Action No. 04-1931

AUG 25 2004

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_  
Dep. Clerk

CERTIFICATE OF SERVICE

On May 10, 2004, this office forwarded, via Certified (7003 2260 0007 6532 0221) and First Class Mail, a true and correct copy of the Notice of Lawsuit and Request for Waiver of Summons to Defendant, Paige Harden at 155 Field Point Road, Greenwich, CT 066830.

The certified envelope came back marked Refused, that the Defendant no longer lived at the address. On May 14, 2004, this office received a telephone call from a gentleman who introduced himself as Russell Harden, father of defendant, Paige Harden. Mr. Harden advised this office of his daughter's address of: 344 St. Joseph Street, Apartment 320, New Orleans, LA 70130.

On **June 14, 2004**, via Certified (7003 1010 0001 7889 9031) and First Class Mail, a true and correct copy of the Notice of Lawsuit and Request for Waiver of Summons was again forwarded to Defendant, Paige Harden at the **344 St. Joseph Street, Apartment 320, New Orleans, LA 70130** address. A copy of the signed return receipt card is attached hereto and marked as Exhibit A.

Respectfully submitted,

BERNHARDT & ROTHERMEL, P.C.

Dated: August 24, 2004

By: \_\_\_\_\_

Francis J. Bernhardt, III, Esquire  
Attorney for Plaintiff

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print name and address on the reverse so we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p>	
<p>1. Article Addressed to:</p> <p>Ms. Paige Harden 344 St Joseph Street Apt. 320 New Orleans, LA 70130</p>		<p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes</p> <p>If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number</p> <p>(Transfer from service label)</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>PS Form 3811, August 2001</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>Domestic Return Receipt</p>		<p>7003 1010 0001 7889 9031</p> <p>9031</p> <p>102585-02-M-1540</p>	

**ECF**  
**DOCUMENT**

I hereby attest and certify that this is a printed copy of a document which was electronically filed with the United States District Court for the Eastern District of Pennsylvania

Date Filed: 11/19/04  
UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

4

JOHN RAFFERTY

v.

PAIGE HARDEN and AUGUSTUS H. DENIS

Deputy Clerk  
NO. CV-04-1931

**ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Defendants, Paige Harden and Augustus H. Denis, only, in the above-captioned matter.

**LAW OFFICES OF GREGORY J. SUTTON**



**Kevin M. Geary**

Digitally signed  
by Kevin M. Geary  
DN: cn=Kevin M.  
Geary, c=US  
Date: 2004.10.13  
14:54:18 -04'00'

By:

Validity  
unknown

Kevin M. Geary  
Attorney for Defendants,  
Paige Harden and Augustus H. Denis

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN RAFFERTY

v.

PAIGE HARDEN and AUGUSTUS H. DENIS


NO. CV-04-1931

**JURY DEMAND**

TO THE PROTHONOTARY:

Defendants, Paige Harden and Augustus H. Denis, hereby demand a trial by jury consisting of twelve (12) jurors.

**LAW OFFICES OF GREGORY J. SUTTON**

By:  **Kevin M. Geary**  
Digitally signed by Kevin M. Geary  
DN: cn=Kevin M. Geary, c=US  
Date: 2004.10.13 14:54:47 -04'00'  
Kevin M. Geary  
Attorney for Defendants,  
Paige Harden and Augustus H. Denis



6

TON

**LAW OFFICES OF GREGORY J. SUTTON**

By: Kevin M. Geary, Esquire

Attorney Identification No. 67361

Two Penn Center Plaza – Suite 200

Philadelphia, PA 19102

(215) 569-2282

Attorney for Defendants, Paige Harden and Augustus H. Denis

**FILED** (5)  
NOV 17 2004  
Clerk's Office  
USDC, Mass.  
By MICHAEL E. KUNZ, Clerk  
Date 11/17/04  
Deputy Clerk

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

JOHN RAFFERTY

v.

PAIGE HARDEN and AUGUSTUS H. DENIS

CIVIL ACTION

**RECEIVED**

NO. CV-04-1931

**04 - 12456 PBS**

**STIPULATION TO TRANSFER VENUE**

It is hereby STIPULATED by and between the undersigned counsel for the parties that the above captioned matter shall be transferred to the United States District Court, District of Massachusetts, upon payment of your costs only.

**LAW OFFICES OF GREGORY J. SUTTON**

By:

Kevin M. Geary

Attorney for Defendants,

Paige Harden and Augustus H. Denis

**BERNHARDT AND ROTHERMEL**

By:

Francis J. Bernhardt, III

Attorney for Plaintiff,

John Rafferty

11/17/04  
Geary  
Bernhardt

Moore  
11/17/04

2:04-cv-01931-TON

FRANCIS BERNHARDT  
BERNHARDT & ROTHERMEL, P.C.  
1515 MARKET STREET  
SUITE 1540  
PHILA PA 19102-1915

FAX 215-569-0853

\*\*\*\*\* -COMM. JT AL- \*\*\*\*\* DATE NOV-17-2004 \* TIME 14:16 \*\*\*\*\*

MODE = MEMORY TRANSMISSION

START=NOV-17 14:15

END=NOV-17 14:16

FILE NO.=244

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	*	92155690853	002/002	00:00:36

-US DISTRICT COURT EDPA -

\*\*\*\*\* -CLERK'S OFFICE - \*\*\*\*\* - \*\*\*\*\*

2:04-cv-01931-TON

FRANCIS BERNHARDT  
BERNHARDT & ROTHERMEL, P.C.  
1515 MARKET STREET  
SUITE 1540  
PHILA PA 19102-1915

FAX 215-569-0853

-----

ARBITRATION, ELARB

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:04-cv-01931-TON  
Internal Use Only**

**04-12456 PBS**

RAFFERTY v. HARDEN et al  
Assigned to: HONORABLE THOMAS N.  
ONEILL, JR  
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 05/03/2004  
Jury Demand: Defendant  
Nature of Suit: 350 Motor  
Vehicle  
Jurisdiction: Diversity

**Plaintiff**

**JOHN RAFFERTY**

represented by **FRANCIS BERNHARDT**  
**BERNHARDT &**  
**ROTHERMEL, P.C.**  
**1515 MARKET STREET**  
**SUITE 1540**  
**PHILA, PA 19102-1915**  
**FAX 215-569-0853**  
**Fax: FAX 215-569-0853**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE**  
**NOTICED**

V.

**Defendant**

**PAIGE HARDEN**

represented by **KEVIN M. GEARY**  
**LAW OFFICES OF**  
**GREGORY J. SUTTON**

11/17/04  
*G. Sutton*

TWO PENN CENTER  
PLAZA  
SUITE 200  
PHILADELPHIA, PA  
19102  
215-569-2282  
Email:  
kevin.geary@usaa.com  
*ATTORNEY TO BE  
NOTICED*

**Defendant**

**AUGUSTUS H. DENIS** represented by **KEVIN M. GEARY**  
(See above for address)  
*ATTORNEY TO BE  
NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/03/2004	●1	COMPLAINT against AUGUSTUS H. DENIS, PAIGE HARDEN ( Filing fee \$ 150 receipt number 904569.), filed by JOHN RAFFERTY.(ti, ) (Entered: 05/04/2004)
05/03/2004	●	Two Original Summons Issued as to AUGUSTUS H. DENIS, PAIGE HARDEN. Given To: Counsel on 5/4/04 (ti, ) Modified on 5/4/2004 (ti, ). (Entered: 05/04/2004)
05/03/2004		***Set/Clear Flags Set Flag Arbitration Case Management Track (ti, ) (Entered: 05/04/2004)
05/03/2004	●	Case Eligible for Arbitration(ti, ) (Entered: 05/04/2004)

08/25/2004	● <u>2</u>	CERTIFICATE OF SERVICE by JOHN RAFFERTY re: served by certified and first class mail, copy of the notice of lawsuit and request for waiver of summons to AUGUSTUS H. DENIS, ON 8/16/04 (GREEN CARD NOT ATTACHED) (ph, ) Additional attachment(s) added on 9/28/2004 (mar, ). (Entered: 08/26/2004)
08/25/2004	● <u>3</u>	CERTIFICATE OF SERVICE by JOHN RAFFERTY RE: served by certified and first class mail copy of notice of lawsuit and request for waiver of summons upon PAIGE HARDEN no date given - (copy of green card attached) (ph, ) Additional attachment(s) added on 9/28/2004 (mar, ). (Entered: 08/26/2004)
10/13/2004	● <u>4</u>	NOTICE of Appearance by KEVIN M. GEARY on behalf of AUGUSTUS H. DENIS, PAIGE HARDEN with Jury Demand (GEARY, KEVIN) (Entered: 10/13/2004)
11/17/2004	● <u>5</u>	STIPULATION AND ORDER THAT THE MATTER SHALL BE TRANSFERRED TO THE UNITED STATES DISTRICT COURT, DISTRICT OF MASSACHUSETTS. ( SIGNED BY JUDGE THOMAS N. ONEILL JR. ON 11/17/04. ) 11/17/04 ENTERED AND COPIES MAILED AND FAXED.(gn, ) (Entered: 11/17/2004)
11/17/2004		***Deadlines terminated., ***Documents terminated: [1] Complaint filed by JOHN RAFFERTY,, <u>4</u> Notice of Appearance filed by PAIGE HARDEN,, AUGUSTUS H. DENIS,, [5] Stipulation and Order, Summons Issued,

		Case Eligible for Arbitration, <u>2</u> Certificate of Service, filed by JOHN RAFFERTY,, <u>3</u> Certificate of Service, filed by JOHN RAFFERTY,. (gn, ) (Entered: 11/17/2004)
11/17/2004	●	Original record together with certified copy of docket entries forwarded to District of Massachusetts. (gn, ) (Entered: 11/17/2004)